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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,736	10/24/2003	Jianwei Yuan	555255005011	2401
7590	03/23/2006		EXAMINER	NGUYEN, CHAUT
David B. Cochran, Esq. JONES DAY North Point 901 Lakeside Ave Cleveland, OH 44114			ART UNIT	PAPER NUMBER
2176				
DATE MAILED: 03/23/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/693,736	YUAN ET AL.	
	Examiner	Art Unit	
	Chau Nguyen	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 October 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-39 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 06/14/2004.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

1. Claims 1-39 are presented for examination.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-9 and 19-27 are rejected under 35 U.S.C. 101 because a method of generating summary information for an electronic document is not limited to a tangible embodiment since the steps in the method require use of hardware to accomplish controlling operation steps. Therefore, claim 1-9 and 19-27 are non-statutory as not being tangible.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section

351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6, 9-16, 19-20, 22-26, 28, 30-33 and 35-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Sylthe, US Patent Application Publication No. US 2002/0161796.

6. As to independent claim 1, Sylthe discloses a method of generating summary information for an electronic document for use by a mobile communication device, comprising:

analyzing a content structure or properties within an electronic document (Abstract: a system which analyzes electronic document in a document object model, and the electronic document is reduced (summarized) to only the essential content and the necessary format information for transmission);

generating document summary information includes an assemblage of a plurality of summary entries selected from the contents of the electronic document based on the analysis of the content structure or properties (Abstract, electronic document is reduced (summary) to only the essential content and the necessary format information for transmission; Fig. 16 is an example of a structured document which includes elements or properties such as table of content 382, paragraphs 388, table 400, graph 202, image 398; page 7, paragraph [0065] discloses server side data processing system constructs the document object model which includes the above elements);

providing the document summary information for a mobile communication device (Abstract, the electronic document is reduced or summarized in a DOM (document object model) is delivered to the wireless devices).

7. As to dependent claims 2, 11, 22 and 30, Sylthe discloses wherein the act of analyzing the content structure or properties comprises identifying a table of contents in the electronic document (Fig. 16 and page 7, paragraphs [0062]-[0065]).
8. As to dependent claims 3, 12, 23 and 31, Sylthe discloses wherein the act of analyzing the content structure or properties comprises identifying a plurality of spreadsheet worksheets in the electronic document (page 5, paragraph [0053]).
9. As to dependent claims 4, 13, 24 and 32, Sylthe discloses wherein the act of analyzing the content structure or properties comprises identifying a plurality of document pages in the electronic document (page 7, paragraph [0064]).
10. As to dependent claims 5, 14, 25 and 33, Sylthe discloses wherein the act of analyzing the content structure or properties comprises analyzing text formatting in the electronic document (pages 7-8, paragraphs [0066]-[0067]).
11. As to dependent claims 6, 16 and 26, Sylthe discloses wherein the act of analyzing the content structure or properties comprises analyzing at least one of text

font names, text font sizes, text font weights, and text font styles in the electronic document (pages 6-7, paragraph [0061]).

12. As to dependent claim 9, Sylthe discloses wherein the summary information is provided to the mobile communication device without the electronic document (Abstract).

13. As to independent claim 10, Sylthe discloses a computer program product comprising:

 a computer storage medium (page 2, paragraph [0036]: the server 10 includes a central processing unit, a random access memory and an internal mass storage device);

 computer program instructions stored on the computer storage medium (page 2, paragraph [0037]: the server is configured to execute and perform the functionality of the current present invention by having an operation system able to utilize data instructions written to execute using the functionality);

 the computer program instructions being executable on a processor for generating summary information for an electronic document by (Abstract and page 2, paragraph [0037]: the server is configured to execute and perform the functionality of the current present invention by having an operation system able to utilize data instructions written to execute using the functionality, and the server analyzes electronic document in a document object model, and the electronic document is reduced

(summarized) to only the essential content and the necessary format information for transmission):

analyzing a content structure or properties within an electronic document (Abstract: a system which analyzes electronic document in a document object model, and the electronic document is reduced (summarized) to only the essential content and the necessary format information for transmission);

generating document summary information which includes an assemblage of a plurality of summary entries selected from the contents of the electronic document based on the analysis of the content structure or properties (Abstract, electronic document is reduced (summary) to only the essential content and the necessary format information for transmission; Fig. 16 is an example of a structured document which includes elements or properties such as table of content 382, paragraphs 388, table 400, graph 202, image 398; page 7, paragraph [0065] discloses server side data processing system constructs the document object model which includes the above elements); and

providing the document summary information for a mobile communication device (Abstract, the electronic document is reduced or summarized in a DOM (document object model) is delivered to the wireless devices).

14. As to dependent claim 15, Sylthe discloses wherein the computer program instructions are further executable to analyze the content structure or properties by analyzing text formatting in the electronic document (page 2, paragraph [0037]: the

server is configured to execute and perform the functionality of the current present invention by having an operation system able to utilize data instructions written to execute using the functionality); and wherein the plurality of summary entries selected from the content of the electronic document are based on identifying differences in the text formatting in the electronic document (pages 7-8, paragraphs [0066]-[0067]).

15. As to independent claims 19 and 28, Sylthe disclose a method of generating summary information for an electronic document, comprising:

identifying an electronic document for which to generate summary information having a plurality of summary entries (Abstract, electronic document is reduced (summary) to only the essential content and the necessary format information for transmission; Fig. 16 is an example of a structured document which includes elements or properties such as table of content 382, paragraphs 388, table 400, graph 202, image 398; page 7, paragraph [0065] discloses server side data processing system constructs the document object model which includes the above elements);

in the generation of the summary information:

if the electronic document has a predetermined content structure, selecting the plurality of summary entries from the electronic document based on the predetermined content structure (Fig. 16 is an example of a structured document which includes elements or properties such as table of content 382, paragraphs 388, table 400, graph 202, image 398; page 7, paragraph [0065]

discloses server side data processing system constructs the document object model which includes the above elements); and

otherwise, if the electronic document has content properties, selecting the plurality of summary entries from the electronic document based on differences in the content properties (Fig. 15 and pages 6-7, paragraphs 0060]-[0061].

16. As to dependent claim 20, Sylthe disclose providing the summary information in response to a request for the electronic document by a mobile communication device (Abstract, the electronic document is reduced or summarized in a DOM (document object model) is delivered to the wireless devices).

17. As to independent claim 35, Sylthe disclose a system which facilitates the communication of summary information for electronic documents to mobile communication device, comprising:

a server having a structured document summarization process which generates summary information by selecting a plurality of summary entries from an electronic document based on a predetermined content structure identified in the electronic document (Fig. 16 is an example of a structured document which includes elements or properties such as table of content 382, paragraphs 388, table 400, graph 202, image 398; page 7, paragraph [0065] discloses server side data processing system constructs the document object model which includes the above elements);

a wireless communication network which communicates the summary information to a mobile communication device in response to a request for the electronic document (Abstract, the electronic document is reduced or summarized in a DOM (document object model) is delivered to the wireless devices).

18. As to dependent claim 36, Sylthe disclose a mobile communication device which receives the summary information in response to the request for the electronic document (Abstract, the electronic document is reduced or summarized in a DOM (document object model) is delivered to the wireless devices).

19. As to dependent claim 37, Sylthe disclose the server having a formatted document summarization process which generates summary information by selecting a plurality of summary entries from an electronic document based on differences in content formatting identified in the electronic document (page 7, paragraph [0062]).

20. As to dependent claim 38, Sylthe disclose the server having an unstructured/unformatted document summarization process which generates summary information by selecting a plurality of summary entries from an electronic document based on differences in paragraph sizes in the electronic document (pages 6-7, paragraph [0061]).

21. As to dependent claim 39, Sylthe disclose the server having a formatted document summarization process which generates summary information by selecting a plurality of summary entries from an electronic document based on differences in content in formatting identified in the electronic document (page 7, paragraph [0062]) and;

the server having an unstructured/unformatted document summarization process which generates summary information by selecting a plurality of summary entries from an electronic document based on differences in paragraph sizes in the electronic document (pages 6-7, paragraph [0061]).

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claims 7, 17, 27 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sylthe as applied to claims 1-6, 9-16, 19-20, 22-26, 28, 30-33 and 35-39 above, and further in view of Yalovsky et al. (Yalovsky), US Patent Application Publication No. US 2004/0073872.

24. As to dependent claims 7, 17, 27 and 34, Sylthe however does not explicitly disclose wherein the act of analyzing the content structure or properties comprises identifying differences in paragraph alignments or indents in the electronic document. Yalovsky discloses a mechanism for pasting data from a source document into a destination document with different format, the source document having multiple levels of the elements (paragraphs) which are aligned differently (Abstract and Fig. 4). Yalovsky also discloses that when pasting a selection from a source document into a destination document, the levels of elements (paragraphs) are maintained but the format is changed (Fig. 4 and pages 3-4, paragraphs [0031]-[0032]), thus this step implies identifying differences in paragraph alignments in the source document when pasting it to the destination document. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings Yalovsky and Sylthe to include analyzing the content structure or properties comprises identifying differences in paragraph alignments or indents in the electronic document so the pasting data from the source document into the destination document still maintains the same paragraph alignments but different formats.

25. Claims 8, 18, 21 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sylthe as applied to claims 1-6, 9-16, 19-20, 22-26, 28, 30-33 and 35-39 above, and further in view of Bourbakis et al. (Bourbakis), US Patent Application Publication No. US 2003/0145279.

26. As to dependent claims 8, 18, 21 and 29, Sylthe however does not explicitly disclose wherein the act of analyzing the content structure or properties comprises identifying differences in paragraph sizes in the electronic document. Bourbakis discloses a method for reconstructing new document from a group of old ones by analyzing paragraphs of the group to extract important statistical feature such as the size of the paragraphs in text characters (Abstract and page 2, paragraph [0024]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bourbakis and Sylthe to include identifying differences in paragraph sizes in the electronic document to remove the redundant text.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The Examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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PRIMARY EXAMINER
3/19/2006